

FILED

APR 17 2007

RACHELLE M. RESNICK
CLERK SUPREME COURT
BY

SUPREME COURT OF ARIZONA

STATE OF ARIZONA,)	Arizona Supreme Court
)	No. CR-88-0136-AP
Appellee,)	
)	Maricopa County
v.)	Superior Court
)	No. CR-87-01352
ROBERT CHARLES COMER,)	
)	
Appellant.)	
)	
)	

WARRANT OF EXECUTION

The appeal in the above-entitled cause was heard and fully considered by this Court on the 16th of November, 1989, and having finally decided the cause, this Court on the 31st of July, 1990, did affirm the judgment of the Maricopa County Superior Court, State of Arizona, and did file its OPINION, which OPINION is now of record in this Court, is still in effect, and, as shown by this Court's record, has not been stayed or affected by any subsequent decision of this or any other Court.

WHEREAS on September 21, 1993, following the denial of relief in Appellant's first post-conviction proceeding, this Court denied Appellant's petition for review filed pursuant to Rule 32.9(c), Ariz. R. Crim. P. Therefore, pursuant to Rule 31.7(c), Ariz. R. Crim. P.,

IT IS ORDERED that Tuesday, the 22nd of May, 2007, be and the same is hereby fixed as the date for commencement of the execution time period when the judgment and sentence of death pronounced upon the Appellant ROBERT CHARLES COMER, by the Maricopa County Superior

Court, State of Arizona, shall be executed by administering to ROBERT CHARLES COMER an intravenous injection of a substance or substances in a lethal quantity sufficient to cause death, except that ROBERT CHARLES COMER shall have the choice of either lethal injection or lethal gas. ROBERT CHARLES COMER shall choose either lethal injection or lethal gas and notify Department of Corrections at least twenty (20) days before the execution date. If ROBERT CHARLES COMER fails to choose either lethal injection or lethal gas and notify Department of Corrections of that decision, the penalty of death shall be inflicted by lethal injection.

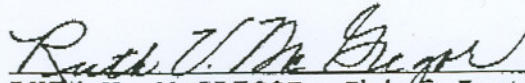
IT IS FURTHER ORDERED that this Warrant is valid for twenty-four (24) hours beginning at an hour to be designated by the Director of the State Department of Corrections, with written notice of said designated hour to be given to the Supreme Court and parties at least twenty (20) calendar days prior to Tuesday, the 22nd of May, 2007.

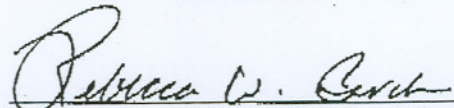
IT IS FURTHER ORDERED that the Clerk of this Court forthwith prepare and certify under her hand and the seal of this Court a full, true and correct copy of this Warrant, and cause the same to be delivered to the Director of the Department of Corrections and the Superintendent of the State Prison, at Florence, Arizona, and the same shall be sufficient authority to them for the execution of the Appellant ROBERT CHARLES COMER, as commanded by the judgment and sentence of death pronounced against ROBERT CHARLES COMER, by the

Maricopa County Superior Court, State of Arizona, on the 11th day of April, 1988.

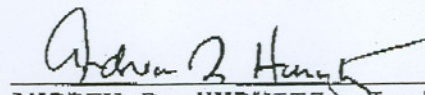
IT IS FURTHER ORDERED that, upon the execution of ROBERT CHARLES COMER, the Superintendent shall, pursuant to Rule 31.17(c), Rules of Criminal Procedure, forthwith make a return upon this Warrant to the Supreme Court of Arizona, which return shall show the time, mode and manner of execution.

Dated in the City of Phoenix, Arizona, at the Arizona Courts Building, this 17th day of April, 2007.


RUTH V. MCGREGOR, Chief Justice


REBECCA WHITE BERCH, Vice Chief Justice


MICHAEL D. RYAN, Justice


ANDREW D. HURWITZ, Justice


W. SCOTT BALES, Justice

STATE OF ARIZONA
SUPREME COURT

I, RACHELLE M. RESNICK, Clerk of the Supreme Court of the State of Arizona, hereby certify the above and foregoing (3) pages to be a full and true copy of the Warrant of Execution of ROBERT CHARLES COMER, filed by said Supreme Court in the said above-entitled action on this 17th day of April, 2007.

IN WITNESS WHEREOF, I hereunto set my hand and affix the official seal of the Supreme Court of the State of Arizona this 17th day of April, 2007.

Rachelle M Resnick
RACHELLE M RESNICK, Clerk of Court